

**Maine F2016  
Social Services Block Grant (SSBG)  
Intended Use Plan**

Grant Administrator:

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## **OVERVIEW**

### **STATUTORY AUTHORITIES**

The Social Services Block Grant legislation requires that each state seeking funds under this program prepare a report on the intended use of the Block Grant funds prior to their distribution. The pre-expenditure report must include information on the service activities that will be supported by these funds and the characteristics or categories of persons who will be eligible to receive the services. The report is submitted to the Secretary of the Federal Department of Health and Human Services and simultaneously published within the state. Should any substantial changes occur in the services or use of the funds during the year, a revised report must be submitted to the Secretary and made public within the state.

This Social Services Block Grant Pre-expenditure Report is intended to briefly explain the social services available to the citizens of Maine through the federal Social Services Block Grant, other federal funds, and related state appropriations for the upcoming federal fiscal year.

### **SOCIAL SERVICE BLOCK GRANT PROGRAM GOALS**

In accordance with the Social Services Block Grant legislation, the Maine Department of Health and Human Services makes available services intended to:

1. Assist individuals in achieving or maintaining economic self-support to prevent, reduce, or eliminate dependency;
2. Assist individuals in achieving or maintaining self-sufficiency, including reduction or prevention of dependency;
3. Prevent or remedy neglect, abuse, or exploitation of children and adults unable to protect their own interests, or preserve, rehabilitate or reunite families;
4. Prevent or reduce inappropriate institutional care by providing for community-based care, home-based care, or other forms of less intensive care; and
5. Secure referral or admission for institutional care when other forms of care are not appropriate, or provide services to individuals in institutions.

### **SOCIAL SERVICES BLOCK GRANT ADMINISTRATION**

With passage of the Omnibus Budget Reconciliation Act of 1981 (PL 97-35) creating the block grants, the Governor of the State of Maine designated the Department of Health and Human Services as the state's lead agency for the planning and administration of the Social Service Block Grant. Since 1981, the Bureau that administered the grant has changed names and functions several times. There have been several name changes, but currently it is through the Division of Contract Management.

Monitoring is conducted within the Office of Child and Family Services Operations Unit. The Operations Unit works in teams. There is a team for each service area. In the case of SSBG, the SSBG team consists of the SSBG Administrator who serves as the Social Services Program Specialist within the Operations Unit (who monitors program performance) and the Division of Contract Management Services Agreement Administrator (who writes the contract).

The Operations Unit is directly responsible for the administration of state purchased services funds and over a dozen federal grants and programs, including the Community Service Block Grant, Social Services Block Grant, and several smaller discretionary federal grants.

### **PUBLIC PARTICIPATION**

The goal of providing social services is to help families and individuals with challenges that threaten their well-being or their ability to function self-sufficiently. Input from consumers, community leaders, providers, and citizens is a critical component to maintaining a viable network of social services. The SSBG State Plan is available for public review on the State of Maine DHHS website at the following links <http://www.maine.gov/dhhs/ocfs/policy.shtml> or <http://www.maine.gov/dhhs/ocfs/aboutus.shtml>. Comments on the SSBG state plan may be submitted to the following email [Ryan.Roberts@maine.gov](mailto:Ryan.Roberts@maine.gov) through November 2015.

### **PROGRAMS AND SERVICES**

This report highlights the specific programs and services which the Maine Department of Health and Human Services has determined be made available in fiscal year 2016, to assist individuals in attaining the five federal block grant program goals. The Operations Unit in its administration of multiple social services programs approaches the funding of these programs through the coordinated use of federal, state, and local funds. Federal Social Services Block Grant funds are utilized in conjunction with legislatively appropriated state social service funds and other federal funding sources, to meet a broad range of client needs identified within service programs.

### **DEFINITION OF FAMILY**

For purposes of determining financial eligibility, a family is defined as: A group of related or non-related individuals, who are not residents of an institution or boarding house, but who are living as one economic unit. An economic unit consists of all individuals who share a dwelling unit and either pool income or share expenses in common. Children in the care or custody of the Department of Health and Human Services are exempted from the above definition of family, and are considered a family of one.

### **ELIGIBILITY FOR SERVICES**

While the federal legislation creating the Social Services Block Grant repealed the client income eligibility requirements of the previous Title XX program, the State of Maine has retained the concept of income eligibility when maintenance in the community and rehabilitation are the goals to which services are directed. The Department through its experience in the social, health, and financial assistance fields regarding individuals with low incomes is acutely aware of the challenges many of these individuals encounter in their attempts to strengthen themselves financially and socially. The Department continues to direct its programs and services to those individuals least able to access needed services on their own.

Further, the Department of Health and Human Services has determined that particular groups of individuals are to be provided Social Services Block Grant funded services regardless of income level. Individuals receiving services within the framework of the Department of Health and Human Services' Child Protective Services are eligible for service without regard to income when part of a

Department case plan. In addition, sexual assault services, domestic violence services, and nutrition services for the elderly are available without regard to income.

Except as noted in this section, the Maine Department of Health and Human Services Social Services Block Grant-funded services and related state-funded services will retain income eligibility requirements for FY2016. Persons receiving assistance through the Temporary Assistance for Needy Families (TANF) or Supplemental Security Income (SSI) programs are financially eligible for needed services based on their income maintenance status. Other persons whose gross family income does not exceed the limits set forth in this report are also financially eligible to receive needed services.

In all circumstances, the Department of Health and Human Services assures that there shall be no discrimination against any applicant for, or recipient of, services on the basis of race, color, sex, religious creed, ancestry, national origin, or any other factors specified in Title IV of the Civil Rights Act of 1964, (42 U.S.C. 2000d); Section 504 of the Rehabilitation Act of 1973, *et.seq.*; the Age Discrimination Act of 1975, *et.seq.*, and any applicable state statutes.

| <b>2015 POVERTY GUIDELINES FOR THE 48 CONTIGUOUS STATES and DC</b>                        |                          |
|---|--------------------------|
| <b>Persons in family/household</b>  | <b>Poverty guideline</b> |
| For families/households with more than 8 persons, add \$4,160 for each additional person. |                          |
| 1   | \$11,770                 |
| 2   | 15,930                   |
| 3   | 20,090                   |
| 4   | 24,250                   |
| 5   | 28,410                   |
| 6   | 32,570                   |
| 7   | 36,730                   |
| 8   | 40,890                   |

**SOURCE:** <http://aspe.hhs.gov/poverty/15poverty.cfm>

### **AVAILABILITY OF SERVICES**

Social Service Block Grant services are purchased from private, community programs and are available statewide. Because the need for service often exceeds the limited funds available for service, agencies may establish waiting lists, priority systems, or limits on the length of or amount of services that an individual may receive. A list of agencies with which the Department contracts for services are available upon request from the Office of Child and Family Service or the Division of Contract Management.

## CATALOG OF PROGRAMS and SERVICES

The following services and programs will be funded, in whole or in part, with federal Social Service Block Grant funds during Fiscal Year 2016. The following lists are organized by the federal SSBG service category titles and the corresponding State of Maine's service area titles.

| <b>SSBG Service Category</b> | <b>State Administered Services</b>                                  |
|------------------------------|---|
| Prevention and Intervention  | Domestic Violence Services/ Sexual Assault Services                 |
| Home Delivered Meals         | Nutrition Services  |
| Home Based Services          | Consumer Directed and Home Based Care, Independent Support Services |
| Transportation Services      | Low Income Transportation   |

Charts on the following pages provide overviews of each Maine Department of Health and Human Services-administered service to be provided. For each service, charts include the service description, the method of delivery, service/program objective(s), service eligibility criteria, the service budget allocations, and the projected number of clients to be served.

The method of delivery stated on the charts reflects the manner in which the Department of Health and Human Services offers each service. Services made available through private, community agencies are purchased through formal agreements between the Department and each service provider agency.

Eligibility criteria cited on the charts reflects eligibility for Social Service Block Grant-related services based upon an individual's inclusion in particular target groups, income maintenance status, individual's presenting problem and/or need, and/or and general income criteria. Unless noted elsewhere in this report, the eligibility criteria information for the services provided by private agencies applies to that portion of the services these agencies provide. These are included in their Department of Health and Human Services service agreement that contains Social Services Block Grant funding, other federal funds, related state funds, and any required local matching funds. These private agencies may provide services through other funding arrangements to persons other than those described in the following charts.

The service funding information presented on the following pages reflect only those other federal and state funds directly related to SSBG service provision and within the Operations Unit's administrative umbrella. Unless noted in the charts on the following pages, services are available on a statewide basis.

**HOME BASED SERVICES**  
**Consumer Directed and Home Based Care**

**Program/Service Definition:**

Consumer Directed Home Based Care (CDHBC) delivers services to elders and adults with disabilities that allow them to maximize independent living opportunity at home, to remain in the community, and avoid or delay placement in institutional settings. Consumer Directed Home Based Care services include the following; service coordination, personal assistance services, transitional services, transportation, and personal emergency response (assistive technology). Home Based Care (HBC) serves individuals who are at greatest risk of institutionalization through the provision of personal care, nursing, therapies, respite, adult day health, home modifications, personal emergency response (assistive technology), and limited transportation to activities covered in the plan of care.

**Method of Delivery:** Purchased - private agencies  
Contracted through DHHS, Office of Aging and Disability Services

**Service Objectives:**

The overall goal is to assist eligible consumers with services needed to avoid or delay placement in institutional settings. Consumers receiving Home Based Care services will retain or increase their level of independent living, receiving the quality and quantity of services needed to remain at home.

**Client Eligibility:**

The Assessing Services Agency (ASA) conducts a face-to-face assessment to determine medical eligibility and the need for services covered. The ASA develops an authorized plan of care that specifies all services to be delivered based on the assessment, within the service level boundaries established in the policy referenced above. Reassessments which follow the same procedure are conducted annually or sooner when the client's medical condition changes.

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**FFY2016 SERVICE BUDGET ALLOCATION:**

| SSBG Funds  | Funds Transferred into SSBG | Other Federal Funds | State Funds | Total       |
|-------------|-----------------------------|---------------------|-------------|-------------|
| \$1,918,485 | \$0                         | \$1,550,230         | \$5,314,875 | \$8,783,590 |

**FFY2016 SERVICE RECIPIENT PROJECTIONS:**

Total Clients - 1000

**HOME DELIVERED MEALS**  
**Nutrition Services**

**Program/Service Definition:**

Home-delivered meals provide a hot meal that includes one third the minimum daily adult requirements and may be supported by nutritional education, counseling, and socialization. Meals are delivered to the residence of individuals who are homebound.

**Method of Delivery:** Purchased - private agencies  
Contracted through DHHS, Office of Aging and Disability Services

**Service Objectives:**

- To prevent institutionalization, malnutrition, and feelings of isolation of adults living in the community.

**Client Eligibility:**

- Adults in public guardianship and active adult protective cases, when part of the Department case plan.
- Elderly persons who are Area Agency on Aging case management clients, when part of a case plan.
- Physically handicapped adults and elderly individuals residing in the community.

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**FFY2016 SERVICE BUDGET ALLOCATION:**

| SSBG Funds | Funds Transferred into SSBG | Other Federal Funds | State Funds | Total       |
|------------|-----------------------------|---------------------|-------------|-------------|
| \$321,716  |                             | \$5,924,054         |             | \$6,245,770 |

**FFY2016 SERVICE RECIPIENT PROJECTIONS:**

Total Clients – 5,650

**PREVENTION and INTERVENTION  
Domestic Violence and Sexual Assault Services**

**Program/Service Definition:**

Prevention and intervention services also include emergency shelter, crisis response, and individual advocacy services to abused women and their children. Services include individual; family and group counseling; children's services; employment counseling; housing assistance; accompaniment and support with law enforcement, legal, and court systems; and transportation.

Training, technical assistance, and consultation with DHHS TANF Regional Office staff on domestic violence issues are also available services for individual clients.

Sexual Assault Services include crisis support to victims of rape or sexual assault and their families through maintenance of 24-hour crisis hotlines; victim counseling; family counseling; accompaniment to and support with law enforcement, medical, and legal procedures; transportation; training of crisis counselors; and community education.

**Method of Delivery:** Purchased - private agencies  
Contracted through DHHS, Office of Child and Family Services

**Service Objective:**

- To ensure the safety of victims of domestic violence and their children.
- To assist victims of domestic violence in attaining self-sufficiency and/or self-support.
- To assist victims of rape and sexual assault and their families to cope with the subsequent legal and medical procedures and the trauma of personal violence.

**Client Eligibility:**

- Without regard to income, individuals and their children who are in imminent fear of, or who have received physical injury or psychological abuse from a domestic partner.
- Without regard to income, all victims and potential victims of rape or sexual assault.

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**FFY2016 SERVICE BUDGET ALLOCATION:**

| SSBG Funds  | Funds Transferred into SSBG | Other Federal Funds | State Funds | Total       |
|-------------|-----------------------------|---------------------|-------------|-------------|
| \$1,627,445 |                             | \$4,138,310         | \$1,925,418 | \$6,691,174 |

**FFY2016 SERVICE RECIPIENT PROJECTIONS:**

Total Clients –20,000

**TRANSPORTATION SERVICES**  
**Low Income Transportation**

**Program/Service Definition:**

Transportation services consist of the provision of or arrangement for the conveyance of individuals from one location to another via means of public and/or private vehicle.

**Method of Delivery:** (Purchased - private agencies)  
Contracted through DHHS, Office of Child and Family Services

**Service Objective:**

- To enable persons who have no other reasonable means of transportation available to access necessary and critical social and medical services.

**Client Eligibility:**

- When part of a Department case plan, the following groups are eligible without regard to income: child protective case(s); children in the care and custody of the Department; adult protective cases; and adults in public guardianship/conservatorship.
  - When division financial eligibility standards are met, the following groups are eligible: elderly persons at risk of institutionalization or needing preventive services; physically handicapped persons; persons with intellectual disabilities living in the community; persons with mental illness living in the community; and families with low incomes that have medical, social and employment needs.
- 

**FFY2016 SERVICE BUDGET ALLOCATION:**

| SSBG Funds  | Funds Transferred into SSBG | Other Federal Funds | State Funds | Total       |
|-------------|-----------------------------|---------------------|-------------|-------------|
| \$2,453,276 |                             | \$3,304,614         |             | \$5,757,890 |

**FFY2016 SERVICE RECIPIENT PROJECTIONS:**

Total Clients – 5,100

**Maine Department of Health & Human Services Social Services Block Grant  
Summary of Services and Projected Funding Federal Fiscal Year 2016**

| Service Categories              | SSBG Funds         | SSBG/<br>TANF<br>Transfer | Other Federal       | State Funds        | Total Funds         |
|---------------------------------|--------------------|---------------------------|---------------------|--------------------|---------------------|
| Home Based Services             | \$1,918,485        |                           | \$1,550,230         | \$5,314,875        | \$8,783,590         |
| Home Delivered Meals            | \$321,716          |                           | \$5,186,453         | \$737,601          | \$6,245,770         |
| Prevention &<br>Intervention    | \$1,627,445        |                           | \$5,933,189         | \$130,539          | \$7,691,173         |
| Transportation Services         | \$2,453,276        |                           | \$3,304,614         |                    | \$5,757,890         |
| <b>SERVICE TOTAL</b>            | <b>\$6,320,922</b> | <b>TBD</b>                | <b>\$15,974,486</b> | <b>\$6,183,015</b> | <b>\$28,478,423</b> |
| DHHS Administration             | \$251,360          |                           |                     |                    |                     |
| <b>ADMINISTRATIVE<br/>TOTAL</b> | <b>\$251,360</b>   |                           |                     |                    |                     |
| <b>GRAND TOTAL</b>              | <b>\$6,572,282</b> |                           | <b>\$15,974,486</b> | <b>\$6,183,015</b> | <b>\$28,478,423</b> |

| Service Categories        | Total Clients |
|---------------------------|---------------|
| Home Based Services       | 1,000         |
| Home Delivered Meals      | 5,650         |
| Prevention & Intervention | 20,000        |
| Transportation Services   | 5,100         |
| <b>Total</b>              | <b>31,750</b> |

## CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

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This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988: 45 CFR Part 76, Subpart, F. Sections 76.630(c) and (d)(2) and 76.645(a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATE-WIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, SW Washington, DC 20201.

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### Certification Regarding Drug-Free Workplace Requirements (Instructions for Certification)

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.
2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. For grantees other than individuals, Alternate I applies.
4. For grantees who are individuals, Alternate II applies.
5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).
7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).
8. Definitions of terms in the No procurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

*Controlled substance* means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

*Conviction* means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

*Criminal drug statute* means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

*Employee* means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of sub recipients or subcontractors in covered workplaces).

### **Certification Regarding Drug-Free Workplace Requirements**

#### **Alternate I. (Grantees Other Than Individuals)**

The grantee certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an ongoing drug-free awareness program to inform employees about --

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted --

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

(B) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

221 State Street Augusta, Maine 04330 Kennebec County

Check if there are workplaces on file that are not identified here.

Alternate II. (Grantees Who Are Individuals)

(a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;

(b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central

point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

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Signature

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Chief Operating Officer

Title

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Maine Department of Health and Human Services

Organization

## **CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE**

The Pro-Children Act of 2001, 42 U.S.C. 7181 through 7184, imposes restrictions on smoking in facilities where Federally-funded children's services are provided. HHS grants are subject to these requirements only if they meet the Act's specified coverage. The Act specifies that smoking is prohibited in any indoor facility (owned, leased, or contracted for) used for the routine or regular provision of kindergarten, elementary, or secondary education or library services to children under the age of 18. In addition, smoking is prohibited in any indoor facility or portion of a facility (owned, leased, or contracted for) used for the routine or regular provision of federally funded health care, day care, or early childhood development, including Head Start services to children under the age of 18. The statutory prohibition also applies if such facilities are constructed, operated, or maintained with Federal funds. The statute does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, portions of facilities used for inpatient drug or alcohol treatment, or facilities where WIC coupons are redeemed. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1,000 per violation and/or the imposition of an administrative compliance order on the responsible entity.

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Signature

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Chief Operating Officer

Title

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Maine Department of Health and Human Services

Organization

## **CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS**

### *Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions*

#### *Instructions for Certification*

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart

9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non procurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

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#### **Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions**

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

## **Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transactions**

### **Instructions for Certification**

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, [[Page 33043]] should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled ``Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non procurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

**Certification Regarding Debarment, Suspension, Ineligibility an Voluntary Exclusion--Lower Tier Covered Transactions**

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

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Signature

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Chief Operating Officer

Title

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Maine Department of Health and Human Services

Organization

## **CERTIFICATION REGARDING LOBBYING**

### *Certification for Contracts, Grants, Loans, and Cooperative Agreements*

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers (including subcontracts, sub grants, and contracts under grants, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

### *Statement for Loan Guarantees and Loan Insurance*

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

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Signature

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Chief Operating Officer

Title

Maine Department of Health and Human Services  
Organization